

**RECEIVED  
CENTRAL FAX CENTER**

MAR 29 2004

B.

&

A. **EDWARDS & ANGELL, LLP**

**OFFICIAL**

COUNSELLORS AT LAW  
since 1894

DIKE, BRONSTEIN, ROBERTS & CUSHMAN  
*Intellectual Property Practice Group*

MARLBOROUGH, MA OFFICE

TELEPHONE (508) 485-7772

WASHINGTON, DC

TELEPHONE (703) 553-2563

MAILING ADDRESS:

P.O. BOX 9169

BOSTON, MA 02209

101 FEDERAL STREET

BOSTON, MA 02110

(617) 439-4444

FAX (617) 439-4170

## **FACSIMILE TRANSMITTAL**

**DATE:** March 29, 2004

<b>TO:</b>	<b>U.S. Patent &amp; Trademark Office Examining Group 2600</b>	<b>FAX NO.:</b>	<b>1-703-872-9314</b>
<b>FROM:</b>	<b>Steven M. Jensen</b>	<b>FAX NO.:</b>	<b>617-439-4170</b>

**Our Docket No.:** 56087 (70551) **No. of Pages (incl. cover):** 3

**Re:** U.S. Serial Number 09/880,385

### **MESSAGE:**

Please enter the attached response.

### **NOTICE**

The message and/or information which accompanies this facsimile cover sheet is intended for the addressee named above only. If you are not the intended recipient, please contact the sender by collect telephone at the number indicated. You will be advised regarding the disposition of what you have received. The mis-delivery of the message and/or information which accompanies this facsimile cover sheet is not intended to be and shall not constitute a disclosure of trade secrets, of attorney work product or of an attorney-client communication. No waiver of any privilege is intended. Thank you for your attention to this matter.

---

BOSTON HARTFORD NEWPORT NEW YORK PALM BEACH PROVIDENCE SHORT HILLS

Docket No. 56087 (70551)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: S. Tsukuda et al.

U.S. SERIAL NO: 09/880,385

EXAMINER: M. Battaglia

FILED: June 13, 2001

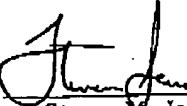
GROUP: 2652

FOR: TILT CORRECTION METHOD OF MOVABLE PORTION, TILT  
CORRECTION METHOD OF OBJECTIVE LENS FOR OPTICAL  
DISK, AND OBJECTIVE LENS DRIVING DEVICE FOR OPTICAL  
DISK**RECEIVED  
GENERAL FAX CENTER**

MAR 29 2004

**OFFICIAL****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to Group 2600 of the U.S. Patent & Trademark Office by facsimile number 703-872-9314 on March 29, 2004.

By:   
Steven M. Jensen

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO OFFICE ACTION**

Applicants are in receipt of the Office Action dated January 29, 2004 of the above-identified application. Applicants respond to the Office Action as follows, within the shortened statutory period of 2 months set in the Office Action.

In response to the species requirement, Applicants elect the following species in accordance with the requirements of the Office Action. This election is made with the understanding that upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim. In the Office Action, it was noted that claim 1 is generic. However, claims 1, 2, and 4 are generic to all of

S. Tsukuda et al.  
U.S. Serial No. 09/880,385  
Page 2 of 2

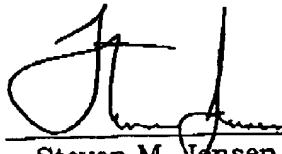
the cited species. Applicants provisionally elect the species of "Species a" (FIGS. 1-13)  
which corresponds to claims 1-6.

The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter in the application. Applicants reserve the right to file divisional application(s) on the non-elected subject matter.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Applicants believe that additional fees are not required for consideration of the within response. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,



By:

Steven M. Jensen (Reg. No. 42,693)

EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, MA 02205

Phone: (617) 439-4444

Customer No. 21874

BOS2\_439380.1